

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

NATIONAL RAILROAD  
PASSENGER CORPORATION

PLAINTIFF

VS.

CAUSE NO. 4:05cv52TSL-AGN

McELROY TRUCK LINES, INC.

DEFENDANT

**JUDGMENT OF DISMISSAL WITH PREJUDICE**

This matter comes before the Court on the motion *ore tenus* of the parties to dismiss this action with prejudice. Being advised and finding that the parties have reached a compromise settlement of all claims and issues involving National Railroad Passenger Corporation and McElroy Truck Lines, Inc. from which this action arises, and the Court further finds and determines that this action should be dismissed with prejudice with each party to bear its own costs.

SO ORDERED AND ADJUDGED this the 2<sup>nd</sup> day of August, 2006.

/s/ Tom S. Lee  
DISTRICT COURT JUDGE

APPROVED:

/s/Richard A. Follis  
Richard A. Follis  
ATTORNEY FOR NATIONAL RAILROAD  
PASSENGER CORPORATION

/s/ J. Richard Barry  
J. Richard Barry  
ATTORNEY FOR McELROY TRUCK LINES, INC.